

REMARKS

This communication is in response to the Office Action mailed November 27, 2007 and is being submitted with a RCE request.

The Office Action reports that claims 1, 15 and 29 are continued to be rejected under 35 U.S.C. 103(a) as being unpatentable over Albayrak et al. in view of White et al.

On pages 2-4 of the Office Action, comments are provided to Applicant's last response. It is noted that

[b]y reviewing and reconvert[ing] the previous rejection and prior art teachings, the examiner believes that the prior art teachings of previous cited references disclose (explicitly or implicitly) all limitations of the claims and the rejection is properly addressed in the rejection below. It is noted that in the Albayrak's disclosure, the VoiceXML pages read by the voice browser is loaded from [the] server in response [to] the corresponding request from clients (Figs. 1-4) and all software modules including 'VoiceXML pages 250', 'VoiceXML templates 252', 'system configuration data 260' (col. 8, lines 1-67 and Figs. 3-4) necessarily (or inherently) provide the related controls to instruct operations for the server. (Emphasis added)

From this and review of the reasons stated in the rejection it appears clear that the Office has taken a very broad interpretation of what is meant by controls as used in each of the claims and further that recitation of "each of the controls having attributes to indicate whether the associated control is available for activation" is also being interpreted broadly.

Without acquiescing to the use of these broad interpretations for the reasons set forth in Applicants' last response, which are hereby incorporated by reference in their entirety, Applicants have provided further clarity by further reciting specific attributes in a manner not taught, suggested or rendered obvious by either Albayrak et al. or White et al. taken alone or in combination.

In particular, claim 1 has been amended to recite that an authoring page is present to define the dialog of the website and that "the controls are arranged in a hierarchical structure and repeatedly used with attributes having different values in order to define the dialog". In addition, as before, claim 1 recites a module to generate markup based on the controls; however, now this has been clarified to specifically recite that the module uses the attributes provided directly from the controls in the authoring page which and when executed on the server, generates client side markup based on the dialog as a function of which controls are activated.

Claim 15 also recites the use of an authoring page, but does not recite that the controls are in a hierarchical structure. In addition, though it also specifically recites specific attributes for recognition and audible prompting and that the controls are repeatedly used with different values.

Finally, claim 29 has been amended to include all of the afore-mentioned features.

It is respectfully believed that each of the independent claims provide features that are not disclosed, suggested or rendered obvious. Moreover, it is not believed that the teachings provided in these references would render these features inherent, because "[i]nherency may not be established by probabilities or possibilities. The mere fact that a certain thing may result from a given set of circumstances is not sufficient." *In re Oelrich*, 212 USPQ 323, 326 (C.C.P.A. 1981).

The foregoing remarks are intended to assist the Office in examining the application and in the course of explanation may employ shortened or more specific or variant descriptions of some of the claim language. Such descriptions are not intended to limit the scope of the claims; the actual claim language should be considered in each case. Furthermore, the remarks are not to be considered exhaustive of the facets of the invention which are

rendered patentable, being only examples of certain advantageous features and differences, which applicant's attorney chooses to mention at this time. For the foregoing reasons, applicant reserves the right to submit additional evidence showing the distinction between applicant's invention to be unobvious in view of the prior art.

Furthermore, in commenting on the references and in order to facilitate a better understanding of the differences that are expressed in the claims, certain details of distinction between the same and the present invention have been mentioned, even though such differences do not appear in all of the claims. It is not intended by mentioning any such unclaimed distinctions to create any implied limitations in the claims.

For the foregoing reasons, Applicant submits that the present application is in allowable form. Allowance of the present application is respectfully requested.

Applicant hereby requests an extension of time to respond to the Office Action. A charge authorization for the extension of time fee is included herewith.

The Director is authorized to charge any fee deficiency required by this paper or credit any overpayment to Deposit Account No. 23-1123.

Respectfully submitted,

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